

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AMPHONE LOUPRASONG,

Case No. 2:24-cv-3416-JDP (P)

Plaintiff,

ORDER

SAN JOAQUIN COUNTY JAIL
RECREATIONAL,

Defendant.

Plaintiff, a county inmate, brings this § 1983 action and concurrently has applied to proceed *in forma pauperis*, ECF No. 2. I have reviewed his trust fund account statement, and it appears that he has sufficient funds to cover the filing fee. His account statement indicates that he has an available balance of \$1,496—more than enough to cover the \$405 filing fee. *Id.* But before recommending that plaintiff's application be denied, I will give him an opportunity to respond to this order and to explain why he cannot both pay the filing fee and still afford his necessities. *See Escobedo v. Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015) (“An affidavit in support of an IFP application is sufficient where it alleges that the affiant cannot pay the court costs and still afford the necessities of life.”).

Accordingly, it is ORDERED that within twenty-one days of this order's entry plaintiff may respond to this order and explain why he should still be allowed to proceed *in forma*

1 *pauperis*. If he fails to do so, I will recommend that plaintiff's application be denied, and he be
2 directed to pay the full filing fee.

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4 IT IS SO ORDERED.
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6 Dated: December 19, 2024
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10 JEREMY D. PETERSON
11 UNITED STATES MAGISTRATE JUDGE
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